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*Bill Analysis*  
Legislative Service Commission

## **H.B. 470\***

124th General Assembly  
(As Introduced)

**Reps. Faber, Grendell**

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### **BILL SUMMARY**

- Modifies the statutory form of a general warranty deed, limited warranty deed, deed of executor, administrator, trustee, guardian, receiver, or commissioner, quit-claim deed, mortgage, survivorship deed, and transfer on death deed to remove from the form in the statute the acknowledgment of the instrument by the person executing it and the signature of the judge or an officer who must take the acknowledgment.
- Includes in the statutory short forms of acknowledgment a statement that the instrument "was executed" by the person who, under penalty of falsification, is represented to be the person making the acknowledgment.
- Declares an emergency.

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### **CONTENT AND OPERATION**

#### **Statutory short forms of acknowledgment**

The bill modifies the statutory short forms of acknowledgment. Under current law, for an individual acting in the individual's own right, the statutory form contains the following language:

"The foregoing instrument was acknowledged before me this (date) by (name of person acknowledged).

The bill modifies this statement so that it reads as follows:

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\* *This analysis was prepared before the introduction of the bill appeared in the House Journal. Note that the list of co-sponsors and the legislative history may be incomplete.*

"The foregoing instrument was *executed and* acknowledged before me this (date) by (name of person acknowledging *under penalty of violating section 2921.13 of the Revised Code*)."

The existing statutory form of acknowledgment for a corporation, a partnership, an individual acting as principal by an attorney in fact, and any public officer, trustee, or personal representative contains language similar to the language in the form for an individual. The bill makes modifications to these forms that are similar to the modifications made to the statutory form of acknowledgment for an individual. (R.C. 147.55.)

**Statutory document forms**

The bill modifies the statutory form for a general warranty deed, a limited warranty deed, a deed of an executor, administrator, trustee, guardian, receiver, or commissioner, a quit-claim deed, a mortgage, a survivorship deed, and a transfer on death deed. It replaces the existing statement in those forms:

"Executed before me on ..... day of ..... by ....., who, under penalty of perjury in violation of section 2921.11 of the Revised Code, represented to me to be said person.

.....  
(Signature of Judge or Officer  
Taking the Acknowledgment)"

with the following statement:

"Executed this ..... day of .....

.....  
(Signature of Grantor)"

(R.C. 5302.05, 5302.07, 5302.09, 5302.11, 5302.17, and 5302.22)

The bill includes in R.C. 5302.12 the same statement as set forth above, but instead of "(Signature of Grantor)" under the signature line, the bill includes "(Signature of Mortgagor)" under the signature line (R.C. 5302.12).



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## HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	---	---
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